IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 9TH MARCH 2007 / 18TH PHALGUNA 1928

Bail Appl..No. 1445 of 2007

CRMP.355/2007 of DISTRICT COURT, PATHANAMTHITTA
CRIME NO.47/2007 OF ARANMULA POLICE STATION

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PETITIONERS/ACCUSED 1 & 2

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1. JUBY EASOW CHERIAN, S/O.THOMAS CHERIAN,
   KAVUMPADICKAL VEEDU, KOZHENCHERY.

2. JOSEPH ALBERT @ SABU,
   S/O.ALBERT, THUNDUPARAMBIL HOUSE,
   KOZHENCHERY.

BY ADV. SRI.S.SANTOSH KUMAR (PERUNAD)

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1445/2007

Dated this 9th day of March, 2007

O R D E R

The petitioners who are accused Nos. 1 and 2 in Crime No.47/2007 of Aranmula Police Station for offences punishable under Sections 143, 147, 332 and 333 IPC read with Section 149 IPC, seek anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The case of the prosecution is that at about 10.00 p.m on 31.1.2007 the petitioners voluntarily caused hurt by throwing a chair at the defacto complainant, a police constable, while discharging his official duty at a place, where an orchestra was going on in a stadium.

4. Even though anticipatory bail cannot be granted in a case of this nature, I am inclined to permit the petitioners to surrender before the Investigating Officer for the purpose of interrogation and then to have their applications for regular bail ordered by the Magistrate concerned. Accordingly, the petitioners are directed to surrender before the Investigating

Officer on any day between 14.3.2007 and 16.3.2007 for the purpose of interrogation. The petitioners shall thereafter be produced on the same day before the concerned Magistrate, who shall release the petitioners on bail on appropriate conditions.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs